

Wincheap Foundation Primary School



Positive Handling Policy

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Policy Context

This policy should be read in conjunction with the school’s Safeguarding and Child Protection Policies, SEND policy, and our Behaviour Policy; and is underpinned by guidance provided by the Department for Education (DfE), Team-Teach and other relevant sources. Key guidance is listed in section 1.4 below.

1. Introduction

1.1 Behaviour is always a form of communication. Understanding that children are communicating through their behaviour gives adults the opportunity to respond differently. When children feel valued, respected and have their needs met, there is no longer a reason to use challenging behaviour to communicate. Punishing a child for a behaviour may stop the behaviour for the moment, but it does not give the child support or provide alternate ways to act in difficult situations. When adults help children find positive ways to communicate their needs to others, children learn important social and problem-solving skills that will help them throughout their life.

Wincheap Foundation Primary School is committed to a positive behaviour policy which encourages children to make positive behaviour choices. On rare occasions circumstances may result in a situation that requires some form of physical intervention by staff. Our policy for positive handling and physical intervention is based upon the following principles:

- A child should have agency over their body and their wishes in respect of physical contact should be respected;
- Physical intervention used to prevent challenging behaviour is unwanted physical contact, and is therefore unacceptable unless justified as means of preventing greater harm;
- Physical intervention should be used only as a last resort when other appropriate strategies have failed and/or where there is no alternative means of preventing immediate physical harm to people or property;
- Any physical contact should be only the minimum required;

- Physical intervention must only be used in ways that maintain the safety and dignity of all concerned;
- Incidents must be recorded and reported to the Head teacher as soon as possible;
- Parents/Carers must be informed on the day of the incident.

1.1 'Positive Handling' The term 'positive handling' includes a wide range of supportive strategies for helping pupils and adults to manage behaviours that challenge. A clear and consistent positive handling policy supports all pupils, including those with social, emotional and mental health needs, within an ethos of mutual respect, care and safety. It includes a spectrum of supportive intervention moving from low-level non-physical strategies through to forms of restrictive physical intervention that aim to keep people as safe as possible.

1.2 Duty of Care Staff have a duty to intervene in order to prevent pupils from hurting themselves or others, damaging property, or in order to maintain expectations for positive behaviour. Furthermore, the school takes seriously its duty of care to pupils, employees and visitors to the school who may be at risk of harm where challenging behaviour is not addressed.

1.3 Positive Handling Plans Wincheap Foundation Primary School has staff who are trained to look after pupils in their care and aim to focus on de-escalation techniques wherever possible. Where it can be foreseen, if an individual child is likely to need some form of physical intervention to maintain safety, this should be planned for an a Positive Handling Plan drawn up and shared with staff that support the child. See section 6.

1.4 Statutory and Non-Statutory Guidance

Section 93 of the Education and Inspections Act 2006 (*'the Act'*) enables school staff to use such force as is reasonable. There is no legal definition of when it is reasonable to use force; any unwanted touch is capable of amounting to "force", and the use of physical contact in response to challenging behaviour other than in accordance with this policy is likely to amount to unreasonable force.

The DfE non-statutory guidance document **'Use of reasonable force' (dated July 2013- reviewed 2015)** provides advice for headteachers, staff and governing bodies:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

DfE guidance on the use of reasonable force in schools (2013) also states that in addition to the general power to use reasonable force, headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for "prohibited items" which includes weapons, something else used or likely to be used to cause injury, alcohol or other drugs, or pornographic material. Force **may not** be used to search for other items, even if those items are banned under school rules.

[Searching, Screening and Confiscation – Advice for Schools \(July 2022\)](#)

DfE guidance and the Act make it clear that all members of school staff have a legal power to use reasonable force, and that the power can also apply to people whom the headteacher has temporarily put in charge of pupils, such as unpaid volunteers or parents accompanying students on a school organised visit. However in our school, wherever possible, only staff trained in the pre-emptive and responsive positive handling strategy techniques of Team-Teach will use physical intervention techniques with

children, and only when necessary. **Although any member of staff may be required to physically intervene with a pupil who is endangering themselves or others, damaging property or to maintain good order and discipline, we would expect accredited staff to take over as soon as possible.**

In March 2019 the Equality and Human Rights Commission published the guidance document, *'Human rights framework for restraint'*. This guidance sets out key principles of articles 3, 8 and 14 of the European Convention on Human Rights (ECHR), incorporated into domestic law by the Human Rights Act 1998, which govern the use of restraint across all settings:

<https://www.equalityhumanrights.com/sites/default/files/2022/our-work-human-rights-framework-restraint-2019.pdf>

2 Team-Teach

2.1 Some staff have been trained to use Team Teach positive handling techniques. Team Teach is a training programme widely used in the UK and other countries, primarily in education, health, and social care settings, that focuses on positive behaviour management and the safe handling of challenging behaviour. The programme is accredited through ICM (Institute of Conflict Management).

2.2 Further details of the Team-Teach approach can be found on the Team-Teach website. <https://www.teamteach.com/about/>

2.3 School staff trained in Team-Teach techniques meet together to share their experiences, and practice their techniques, in order to keep their knowledge and skills up to date.

3 Before Using Physical Interventions

3.1 Staff becoming aware of a child exhibiting challenging behaviour should always remember that behaviour is communication. Think: what is the child communicating by doing this? Can I help them express their concern in a more appropriate way? How can I reduce the potential risk in this situation?

We take effective action to reduce risk by:

- Showing care and concern, supporting the pupil to find alternatives, using distraction, negotiating and reasoning;
- Using our knowledge of the child to de-escalate a developing situation to avoid physical intervention if possible, and sharing successful de-escalation strategies with all relevant staff;
- Developing a personalised behaviour plan and positive handling plan where there is a foreseeable risk that a child may need physical intervention, in partnership with parents/carers and all relevant staff;
- Giving clear directions to help pupils to make a good choice;
- Reminding the pupil about rules and likely outcomes;

- Removing an audience or taking vulnerable pupils to a safe place;
- Making the environment safer by moving furniture and removing objects which could be used to injure, or threaten injury;
- Using positive guidance to escort pupils to somewhere less pressured;
- Ensuring that colleagues know what is happening and call for help.

4 Use of Physical Intervention/Restraint

4.1 The term 'physical restraint' is used when force is used to overcome active resistance. Whilst or before intervening, staff should speak calmly as a way of reassurance, explaining what they are doing and why e.g. "I am doing this to keep you safe." Or "we are just going to... so that...". Talking helps staff to remain calm and crucially helps the child to understand what is happening. This is vital when reviewing the incident with the child later: we want them to come to an understanding of what they were doing that led to this action, why the staff had to do what they did, and how we can avoid it in future.

4.2 In our school, we only use physical restraint when there is no realistic alternative and it is used for the shortest amount of time possible. We expect staff to conduct either a dynamic risk assessment (see below) or use appropriate strategies laid out in the child's positive handling plan or written risk assessment. We expect staff to think creatively about alternatives to physical intervention which may be effective and use these where possible.

The paramount considerations are that:

- i. the action is taken in the interest of the child, and that
- ii. it reduces risk to themselves or others.

Any response to behaviour that challenges should be reasonable, proportionate and necessary. Physical restraint must only be in accordance with the following:

- The member of staff should have good grounds for believing the child is in immediate danger of harming themselves or another person, in danger of seriously damaging property, or deliberately damaging property.
- Only the minimum force necessary to prevent injury or damage should be applied, and for the shortest amount of time.
- Every effort should be made to secure a minimum of two members of staff present before applying a physical intervention technique and ideally they should both be Team Teach trained. Other staff can act as assistants or witnesses. If the level of intervention needed requires only one staff member then only one should be used (remember '*minimum intervention, for the shortest time*'); any other staff should monitor the situation and environment to ensure the child and staff member are safe.
- Once the staff deem it safe to do so, the restraint should be relaxed to allow the child to regain self-control.

- Restraint should be an act of care and control, NOT punishment.
- Physical restraint should not be used purely to force compliance with staff instructions when there is no immediate danger to people and/or property.
- After the event, the restraint should be discussed with the child, and the parents/carers at the earliest opportunity. The review with the child should take place at a point in the Anger Cycle where they are calm enough to discuss what led up to the intervention and what was done, but not so much later that they have forgotten details. The aim is to try to learn from the event and to try to avoid the unsafe behaviour – and thus the physical intervention - happening again.

4.3 Where a child's behaviour does not pose (or no longer poses) an immediate danger of injury or damage to property, but is causing serious or persistent disruption which is preventing others engaging in learning activities; **and** if clear and calm instructions to stop have not succeeded; **and** if attempts to remove the child, without physical intervention, to a less pressured environment have not succeeded, then two staff members trained in Team-Teach may use acceptable physical techniques to escort that child to a less pressured environment.

4.4 The definition of reasonable, proportionate and safe practice can change and evolve and this will be kept under review.

5 Responding to Unforeseen Events (Dynamic Risk Assessment)

5.1 Even the best planning system cannot cover every eventuality and the school recognises that there are unforeseen or emergency situations in which staff have to think on their feet. This is referred to as a dynamic risk assessment. All staff are expected to respond to the best of their ability, taking action in the best interest of the child or those around him/her. Subsequent review of the staff member's response will take into account factors such as their experience, their knowledge of the child/children and their personal health and fitness levels, the urgency of the scenario which they had to deal with, etc...

5.2 An unforeseen event may require an emergency response with a dynamic risk assessment. After that event is dealt with a recurrence is now a foreseeable risk and staff have a duty to plan ahead and prepare a risk assessment in the form of a Positive Handling Plan (PHP).

6 Positive Handling Plan (including risk assessment process)

6.1 A good Positive Handling Plan (PHP) makes de-escalation and safe intervention more likely and allows staff to respond calmly as they have foreseen what could happen and know what to do. Risk assessments are required for pupils who exhibit behaviour that challenges. Staff should think ahead to anticipate what might go wrong, how it could be avoided, how to contain the situation if it can't be de-escalated. Parents/carers will be involved with the writing of the risk assessment. Including the parents uses their expertise and also means that they will have some peace of mind knowing how staff will respond before, during and after a challenging event.

6.2 When considering a pupil's behaviour and potential risks, staff and parents/carers will think about the following questions:

- Can we anticipate a Health and Safety risk related to this pupil's behaviour?
- Have we got all the information we need to conduct the risk assessment?
- Have we already got a written plan?
- Does the plan include de-escalation/distraction strategies and strategies that don't require physical interventions **before** specifying permitted physical techniques? It is understood that staff may have to move straight to a physical intervention e.g. in situations where immediate action is needed to maintain safety; but staff should always plan to move from the least intrusive methods upwards in any given situation depending on what they are confronted with.
- What further steps can we take to prevent harmful behaviour from developing?

6.3 Risk management is regarded as an integral part of positive handling planning. All pupils who have been identified as presenting a risk, should have a PHP. The plan details strategies which have been found effective for that individual, along with any particular responses which are to be avoided. Any particular physical techniques which have been found to be effective should be named, along with any alerts to any which have proved to be ineffective and should be avoided. PHPs should be considered along with the child's EHCP or any other planning document relevant to the pupil such as an IHCP or Pupil Passport. The PHP should take account of the age, sex, level of physical, emotional and intellectual development, special needs and social context. Parents will be involved in the writing of each PHP and PHP review. The Wincheap PHP proforma is **Appendix 1**.

6.4 Staff may also need to make an individual risk assessment where it is known that force is more likely to be necessary to restrain any pupil who is considered to be at greater risk of needing positive handling interventions due to their special educational need (SEN) or disability. Plans should be compatible with a pupil's EHCP and properly documented in the school records.

6.4 An individual risk assessment is essential for pupils whose SEND are associated with:

- Communication impairments that make them less responsive to verbal communication
- Physical disabilities and/or sensory impairments
- Conditions that make them fragile, such as haemophilia, brittle bone syndrome or epilepsy
- Dependence on equipment such as wheelchairs, breathing or feeding tubes.

6.5 Relevant staff should meet with the parents regularly to review the PHP. The review process is a chance to reflect on what has worked and what hasn't, and to make any changes that might be needed. In the early weeks of a PHP reviews should happen at least every 2-3 weeks and include a member of SLT. Where the PHP strategies show success and incidents reduce, the frequency of review and membership of the review team can also reduce if it is felt that it is safe to do so. The child should be part of the review

process of a PHP but this will not usually be in the main meeting to allow the adults to speak honestly without hurting his/her feelings.

7 Post Incident Debrief

7.1 After any incident a full debrief should take place so that learning can inform practice. The incident should be reviewed with the child

7.2 Following an incident, the Headteacher or appointed senior leader should offer support to all involved. This is an opportunity for learning, and time needs to be given for following up incidents so that pupils and staff have an opportunity to express their feelings, suggest alternative courses of action for the future and appreciate another person's perspective.

7.3 It is difficult to devise a framework of support that meets the needs of all. As individuals we all vary in how much support we need after an unpleasant incident. Generally, a member of senior staff would expect to talk to staff and children involved in any incidents involving any restraint. If the staff or pupils need time to calm or compose themselves, then the Headteacher, Deputy or Assistant Headteacher will make arrangements for this to happen.

7.4 Following an incident, consideration may be given to conducting a further risk assessment, reviewing the PHP, the school Behaviour Policy or this policy. Any further action in relation to a member of staff or pupil will follow the appropriate procedures.

8 Recording

8.1 Good practice requires that schools MUST ensure:

- For the purposes of evaluation and review, all incidents where strategies laid down in the PHP were used (physical or non-physical) are to be recorded on My Concern.
- All incidents where Team Teach techniques were used including low-level contact such as friendly guides and escorts, are to be recorded on My Concern for monitoring and evaluation purposes.

8.2 All details must be recorded, ideally before the end of the school day and definitely within 24 hours of the incident. Parents/carers will receive a face-to-face meeting. All staff involved in an incident should complete a My Concern outlining their involvement. This should be completed before the staff member leaves site that day or, in the event that is not physically possible, at the latest within 24 hours of the event occurring.

8.3 All documentation related to an incident will be held and, only where appropriate, shared in accordance with the school's Data Protection and GDPR policy.

8.4 Any injury/harm to staff or children involved in an incident must be detailed in the My Concern report and entered in the Accident book as appropriate.

9 Monitoring and Evaluation

9.1 The Headteacher will ensure that each incident is reviewed and instigate further actions as required.

9.2 Paragraph F2 of the Human rights framework for restraint states *'To know whether discrimination is occurring, public bodies should collect and analyse data on their use of restraint, to identify if restraint is being used disproportionately against people with particular protected characteristics under the Equality Act 2010, or who share other identifiable group characteristics, for example, women, ethnic minorities, or people with particular impairments such as learning disabilities.'* The Headteacher will regularly review the use of restraint to avoid unintended discrimination.

9.3 The Headteacher will monitor patterns in the use of positive handling to ensure this policy is being correctly interpreted and applied, and report at least annually to the L & T committee of the Governing Body. This policy will be reviewed annually.

10 Complaints and Allegations

10.1 Any complaints will follow the school's Complaints Procedure which can be found on the school website or by asking at the School Office.

11 Other Physical Contact with Pupils

DfE guidance *Use of reasonable force (2013)* gives further advice on when physical contact with pupils may be advisable. Key points staff should be aware of include:

11.1 It is not illegal to touch a pupil. There are occasions, other than the use of reasonable force in care and control scenarios, when physical contact with a pupil is proper and necessary. However staff should respect that some children feel more comfortable than others with physical touch, and the same child might feel different at different times and with different staff members.

11.2 Examples of where touching a pupil might be proper and necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school
- When comforting a distressed pupil
- When a pupil is being congratulated or praised
- To demonstrate how to use a musical instrument
- To demonstrate exercises or techniques during PE lessons or sports coaching
- To give first aid (see 11.4 below)

11.3 This list is not exhaustive, but provides some examples of situations where physical contact might be proper and necessary, provided the child in question does not indicate that they are uncomfortable with that contact.

11.4 If a child indicates that they do not want a staff member to administer first aid, staff should apply the guidelines for physical intervention and restraint set out in this policy. Only if failing to administer first aid immediately would risk serious further harm to the child should an intervention take place.

Appendix 1

Wincheap Primary School Positive Handling Plan (PHP)

This plan is put in place because it is foreseen that the child named below may need to be held. We seek to outline ways this can be avoided and, where it can't, the safest and shortest way for any physical intervention to take place.

Factors to consider: when drawing up the plan

- Key behaviour difficulties
- Our understanding of the behaviour
- What we want to see instead
- Environmental changes that might help
- How the child can help
- How parents or carers can help
- Rewarding progress
- Monitoring progress

Factors to consider: when reviewing the plan

What incidents have occurred since inception/last review?

Did the strategies in the plan help to contain and control the situation?

(For subsequent reviews) Are incidents reducing over time?

Are there any new behaviours/situations that have to be added to the plan?

Are there any new non-physical strategies that have been found to avoid or de-escalate situations?

Make appropriate changes/updates and agree a new review date. Review Minutes and any agreed changes should be recorded on My Concern.

Child's Name:

Class:

Names and positions of those contributing to the planning meeting:

TRIGGER Behaviours: *(Describe common behaviours/situations which are known to have led to Positive Handling being required. When is such behaviour likely to occur? What might an adult see that might indicate that the child is communicating distress?)*

TOPOGRAPHY of Behaviour: *(Describe what the behaviour looks/sounds like)*

PREFERRED Supportive & Intervention Strategies: (Other ways of calming such behaviours. Describe strategies that, where and when possible, should be attempted before positive handling techniques are used).

- | | | | |
|---------------------------|--------------------------|---|--------------------------|
| Verbal advice and support | <input type="checkbox"/> | Distraction (known Key words, objects, etc Likes) | <input type="checkbox"/> |
| Reassurance | <input type="checkbox"/> | Take up Time | <input type="checkbox"/> |
| CALM talking/Stance | <input type="checkbox"/> | Time Out (Requires a written plan) | <input type="checkbox"/> |
| Negotiation | <input type="checkbox"/> | Withdrawal (Requires Staff/Carer Observation) | <input type="checkbox"/> |
| Choices/Limits | <input type="checkbox"/> | Cool Off: Directed/Offered (Delete as appropriate)
Time allowed out to calm down | <input type="checkbox"/> |
| Humour | <input type="checkbox"/> | Contingent Touch | <input type="checkbox"/> |
| Consequences | <input type="checkbox"/> | Transfer Adult (Help Protocol) | <input type="checkbox"/> |
| Planned Ignoring | <input type="checkbox"/> | Success Reminder | <input type="checkbox"/> |

Others?

Praise Points/Strengths: (Areas that can be developed and built upon). Please state at least 3 Bridge builders.

- 1.
- 2.
- 3.

Medical Conditions that should be taken into account before physically intervening.
e.g. Asthma, Brittle bones

Preferred Handling Strategies: (Describe the preferred holds: standing, sitting, ground, stating numbers of staff, what “get outs” that can be used when holding, etc)

De-briefing process following incident: (What is the care to be provided)

Recording and notifications required after a Positive Handling Incident:

My Concern report

Same-day parental contact

Other:

Parents' Views:

Pupil's View:

Date of PHP Review: (1st review should be within three weeks of the implementation of this plan, subsequent reviews should be at intervals commensurate with the success of the strategies i.e. as incidents reduce the gaps between review meetings can be larger, subject to agreement by all parties)

For the school: Name _____ Signature _____

Parents/Guardians: Name _____ Signature _____

Name _____ Signature _____

Appendix 2

Other Considerations and Advice for Staff

When might it be appropriate to use reasonable force?

Examples of situations that may require restraint are when:

- a pupil attacks a member of staff, or another pupil
- pupils fighting
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- a pupil is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure her/himself or others
- a pupil absconding from a class or trying to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- a pupil persistently refuses to obey an order to leave an area
- a pupil is in danger and needs to be removed from the classroom
- a pupil behaves in such a way that seriously disrupts a lesson.

It is important to remember though that while these are examples of situations where force might be reasonably applied, it doesn't mean that handling is the **only** response. If non-physical means can effect a resolution they **must** be used. Staff should always remember that the use of reasonable force is the last resort. Successful alternatives will depend on things like the staff member's relationship with the child, the staff member's experience, the specifics of the situation, who else is involved, advice in a Positive Handling Plan that is known to the staff member, etc...

Use of other staff

If possible, best practice is to have a minimum of two members of staff where positive handling is used. This does **not** mean both staff should be used to apply physical force (unless this is necessary), the second member of staff should stand by to assist but their primary role is to monitor the child and member of staff to ensure that any interventions are carried out as safely as possible. They should also deal with any other children present, control the environment (e.g. moving furniture if the child has to be moved to minimise the possibility of injury to child or adult) and organise the notification of SLT if it is felt to be necessary at this point.

Right to Search

Staff have a right to search for prohibited or stolen items. In the vast majority of cases asking a child to turn out their pockets or bag, for example, will be complied with but if not - and where the member of staff feels it is necessary - a search can be conducted and reasonable force can

be used as part of this. **However, this can only be part of a search for legally prohibited or stolen items.** So, for example, school staff could use reasonable force to search for a weapon or a stolen item because possession of those are prohibited by law, but not for a mobile phone that the child owns but is banned from using during school time. As ever, of course the force used must be proportionate to the situation.

The search should ideally be conducted by a member of staff who is the same sex as the child being searched and be witnessed by another staff member. Full guidance can be found in the document [*Searching, Screening and Confiscation – Advice for Schools \(July 2022\)*](#)